

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JACOB LANCE : **CIVIL ACTION**
:
v. : **NO. 18-4933**
:
MIDLAND CREDIT MANAGEMENT :
INC., et al. :

ORDER

AND NOW, this 22nd day of March 2019, upon considering Defendants' Motion to compel and stay (ECF Doc. No. 14), Plaintiff's Opposition (ECF Doc. No. 17), Defendants' Reply (ECF Doc. No. 18), mindful of our January 23, 2019 Order (ECF Doc. No. 9), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Defendants' Motion to compel (ECF Doc. No. 14) is **DENIED** as the issues concerning the terms of the assignment between the bank and the Defendants either preclude Defendants' right to compel arbitration or are ambiguous requiring further discovery before we can find the bank assigned Plaintiff's consent to arbitration to the Defendants; and,
2. Mindful the parties may now need to explore the terms of the assignment between the bank and the Defendants to renew efforts to compel arbitration, we **amend** our January 23, 2019 Order (ECF Doc. No. 9) only to allow Phase I Motions for summary judgment on the Plaintiff's claims or for class certification to be filed no later than **May 3, 2019** with responses filed no later than **May 20, 2019**.



KEARNEY, J.